

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :
 :
Mana, Inc., :
t/a Benito's Place :
1437 11th Street NW :
Retailer CR - ANC 2F :
License No. 106428 :
Case #19-AUD-00014 :
 :
(Failed to File Quarterly:
Statement) :

Wednesday,
September 18, 2019

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
JAMES SHORT, Member
RAFI CROCKETT, Member

ALSO PRESENT:

LINDSAY MARKS, DC OAG
MAINOR MAJANO, APPLICANT

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P-R-O-C-E-E-D-I-N-G-S

9:53 a.m.

CHAIRPERSON ANDERSON: All right.

Let's move to our Show Cause Hearing (Status) Calendar. The first case on our Show Cause Hearing (Status) Calendar is Case No. 19-AUD-00014, Benito's Place, License No. 106428.

Will the parties, please, approach and identify themselves for the record, please?

MS. MARKS: Good morning, Mr. Chairman. Lindsay Marks for the District of Columbia.

CHAIRPERSON ANDERSON: Good morning, Ms. Marks. And your name, sir?

MR. MAJANO: My name is Mainor Majano. I am the owner from Benito's Place.

CHAIRPERSON ANDERSON: Good morning, sir.

Are there any preliminary matters in this case?

MS. MARKS: Yes, Mr. Chairman. The parties have an Offer in Compromise for the Board

1 today.

2 CHAIRPERSON ANDERSON: And what is
3 that, please?

4 MS. MARKS: For Charge 1 a fine of
5 \$600 to be paid within 30 days or the license
6 should be suspended indefinitely until the fine
7 is paid.

8 And to also submit any pending
9 quarterly statements that are outstanding.

10 CHAIRPERSON ANDERSON: Okay. Is there
11 a time line to produce those?

12 MS. MARKS: I believe in 30 days as
13 well.

14 CHAIRPERSON ANDERSON: It's my
15 understanding that no quarterly statement was
16 filed for the entire year, so there are four
17 statements that are due.

18 MS. MARKS: I am not certain, at this
19 point, how many are still outstanding. Perhaps
20 the owner would be able to speak to that?

21 CHAIRPERSON ANDERSON: All right.
22 It's my understanding that there is an Offer in

1 Compromise and the Offer in Compromise is that
2 there is a fine of \$600 payable within 30 days
3 and all outstanding quarterly statements will be
4 filed within 30 days.

5 Is this your understanding, sir, of
6 the Offer in Compromise?

7 MR. MAJANO: (No audible answer.)

8 CHAIRPERSON ANDERSON: You have to --
9 I have to hear you say yes or no.

10 MR. MAJANO: Yes, I accept, yes.

11 CHAIRPERSON ANDERSON: All right. Are
12 you aware that by accepting an Offer in
13 Compromise, that you are giving up your right to
14 a hearing?

15 MR. MAJANO: Yes, sir.

16 CHAIRPERSON ANDERSON: Are you also
17 aware that by accepting an Offer in Compromise,
18 that you are giving up your right to appeal this
19 matter?

20 MR. MAJANO: Yes.

21 CHAIRPERSON ANDERSON: With that said,
22 I make a motion that the Offer in Compromise of a

1 fine of \$600 payable within 30 days, that all
2 outstanding quarterly statements also be filed
3 within 30 days. If this is not done, the license
4 will be suspended until the fine has been paid
5 and the quarterly statements have been paid --
6 have been filed.

7 Is there a second?

8 MEMBER SHORT: Second.

9 CHAIRPERSON ANDERSON: Mr. Short has
10 seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passes 4-0-0.

15 We will have you sign-off on the
16 paperwork, sir.

17 Now that the case is over, it's my
18 understanding that there are four quarterly
19 statements that need to be filed. If you need
20 some assistance in filing the quarterly
21 statements, the Agency is aware to help you and
22 provide you the guidance, sir.

1 And I would suggest that you talk to
2 someone, I think Monica Clark within the Agency,
3 who can provide you guidance in providing the
4 quarterly statements if you do not know what --
5 how to do it.

6 All right. You can sign-off on this
7 paperwork, sir. Thank you very much.

8 (Whereupon, the Show Cause (Status)
9 Hearing was concluded at 9:57 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Hearing

Before: Alcoholic Beverage Control Board

Date: 09-18-19

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

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